

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

DARLENE MAAS,

Plaintiff,

vs.

CITY OF BILLINGS, MONTANA;
BILLINGS, MONTANA POLICE
DEPARTMENT; CHIEF RICH ST.
JOHN, CAPTAIN CONRAD,
OFFICER KEIGHTLEY, OFFICER
LANGE, OFFICER AGUILAR,
OFFICER SCHAFF, and JOHN DOES
1-10,

Defendants.

No. 1:19-cv-79-BMM-KLD

ORDER

United States Magistrate Judge Kathleen L. Desoto entered her Findings and Recommendations in this case on June 9, 2021. (Doc. 68). Judge Desoto recommended that Defendant City of Billings' Motion for Summary Judgment (Doc. 51) be GRANTED and Defendants Officer Keightly, Officer Lange, Officer Aguilar, Officer Schaff, Sergeant Conrad, and Chief St. John's Motion for Summary Judgment (Doc. 53) GRANTED, and this case be DISMISSED.

Neither party filed objections to the Findings and Recommendations. The parties have waived the right to de novo review thereof. 28 U.S.C. § 636(b)(1)(C).

Absent objection, this Court reviews findings and recommendations for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted). Reviewing for clear error and finding none,

IT IS ORDERED that Judge Desoto’s Findings and Recommendations (Doc. 68) are **ADOPTED IN FULL**.

1. Defendant City of Billings’ Motion for Summary Judgment (Doc. 51) and Defendants Officer Keightly, Officer Lange, Officer Aguilar, Officer Schaff, Sergeant Conrad, and Chief St. John’s Motion for Summary Judgment (Doc. 53) are **GRANTED**;
2. The Clerk of Court is directed to close this matter and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DATED this 23rd day of June, 2021.



Brian Morris, Chief District Judge
United States District Court